

in bold, underlined, and surrounded by square brackets and where deletions are struck through and surrounded by curved brackets.

#### REMARKS

Claims 1-3, 5, and 7-22 are in the subject patent application. Claims 1, 3, 5, and 10-15 are amended herein; claims 4 and 6 are canceled herein without prejudice; and claims 16-22 are added herein.

#### Formalities

By this response, claims 1, 3, 5, and 10-15 are amended for purposes of clarification, unrelated to patentability. Applicant believes that the amended claims would have been allowable as originally filed. The scope of the amended claims were not narrowed from the scope of the non-amended claims for a substantial reason related to the statutory requirements for a patent, within the meaning of Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. Nov. 29, 2000). Instead, the claims were amended to further the prosecution of this case and to particularly point out and distinctly claim the present invention.

The amendments to claim 1 are supported by at least the originally-filed specification on page 2, lines 35-37, page 4, lines 19-28, and page 6, lines 10-20.

The amendments to claim 3 are supported by at least the originally-filed claim 4.

The amendments to claim 5 are supported by at least the originally-filed claim 6.

The amendments to claim 10 are supported by at least the originally-filed specification on page 5, lines 28-30.

New claims 16-22 have been added to better encompass the full scope and breadth of the invention notwithstanding. Applicant asserts that, by adding such new claims, none of the pending claims have been narrowed for a reason substantially related to the statutory requirements for a patent, within the meaning of Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. Nov. 29, 2000).

New claim 16 is supported by at least the originally-filed specification on page 3, lines 29-32, and page 7, lines 23-34.

New claim 17 is supported by at least the originally-filed specification on page 9, lines 1-8, and Fig. 4.

New claim 18 is supported by at least the originally-filed specification on page 5, lines 31-33.

New claim 19 is supported by at least the originally-filed specification on page 5, lines 28-31.

New claim 20 is supported by at least the originally-filed specification on page 8, lines 7-17.

New claim 21 is supported by at least Fig. 1 and the originally-filed specification on page 9, lines 26-27 and 38, and page 10, lines 1-2.

New claim 22 is supported by at least the originally-filed specification on page 8, lines 33-35.

The amendments to Fig. 1 are supported by at least originally-filed claims 5, 6, and 14 and the originally-filed specification on page 5, lines 29-30, page 6, lines 23-27 and 36-38, and page 7, lines 6-8.

Inadvertent and minor typographical errors in the specification are corrected.

Accordingly, applicant respectfully submits that no new matter is added herein.

Response to the Objection to the Drawings

As indicated earlier, Exhibit A illustrates a proposed amendment to Fig. 1. Applicant's attorney respectfully requests that the requirement for formal drawings be held in abeyance until applicant's receipt of the Notice of Allowability in accordance with M.P.E.P. 608.02(b) or at least until indication of allowable subject matter in accordance with 37 C.F.R. 1.111(b).

Response to the 35 U.S.C. §112, First Paragraph, Rejection

Claims 1-15 were rejected under 35 U.S.C. §112, first paragraph, for allegedly "containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention."

For example, claim limitations of different broadcast channels in claims 1, 11, 12, and 13 were rejected. This rejection is respectfully traversed in view of the remarks made herein.

Applicant respectfully points out that page 4, line 38, page 5, lines 1-4, 8-9, and 13-17, page 8, lines 10-12, and page 9, lines 7-17 of the originally-filed specification disclose a plurality of RF signals, which correspond to the plurality of broadcast channels referred to above. The RF signals are transmitted by a transmitter and are modulated by the processed electronic image from the camera.

Therefore, applicant respectfully submits that the specification does disclose a plurality of broadcast channels.

Accordingly, Applicant respectfully disagrees with the Examiner's rejection of claims 1-15 because, among other reasons, a plurality of broadcast channels are disclosed in the originally-filed specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Nonetheless, Applicant has amended claim 1 herein solely for the purpose of expediting the patent application process in a manner consistent with the United States Patent and Trademark Office's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000).

Accordingly, applicant respectfully submits that the claims are in conformance with 35 U.S.C. §112, first paragraph, and that the 35 U.S.C. §112, first paragraph, rejection should be withdrawn.

Response to the 35 U.S.C. §112, Second Paragraph, Rejection

Claims 1-15 were rejected under 35 U.S.C. §112, second paragraph, for allegedly "being indefinite for failing to particularly point out and distinctly claiming the subject matter which applicant regards as the invention." This rejection is respectfully traversed in view of the amendments and remarks made herein.

Applicant respectfully points out that claims 13, 14, and 15 are not amended for purposes of 35 U.S.C. §112, second paragraph, because "said receiver" in claims 13, 14,

and 15 has proper antecedent basis from "a receiver" in the "receiving" step of in claim 13.

Therefore, applicant respectfully submits that the claims are in conformance with 35 U.S.C. §112, second paragraph, and that the 35 U.S.C. §112, second paragraph, rejections are overcome.

Response to the First 35 U.S.C. §103(a) Rejection

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over United States Patent number 3,984,625 (hereafter Camras) in view of United States Patent number 5,305,033 (hereinafter Takahashi et al.). The rejection for claims 4 and 6 are moot in view of the cancellation of claims 4 and 6 herein. The rejection for claims 1-3, 5, and 7-9 is respectfully traversed in view of the remarks and amendments made herein.

As amended herein, applicant's independent claim 1 calls for, among other features, the beam of light emitted by the handheld light source to be capable of remaining on during operation of the imager.

The Office Action indicates that Camras does not teaching or suggest "a handheld light source for selectively emitting a beam of light" and relies on Takahashi et al. for such teaching. Takahashi et al., however, does not teach or suggest the "beam of light capable of remaining on during operation of the imager," as set out in amended claim 1. Instead, Takahashi et al. consistently and repetitively teaches away from such operation. For example, column 1, lines 59-61, of Takahashi et al. state "A mechanism [in the present invention] is also provided for automatically turning off the illumination bulb when the shutter [for the camera] is opened," and column 2, lines 1-3, of Takahashi et

al. state "[T]he illumination bulb is automatically turned off by an operation of the camera's shutter release button."

Therefore, applicant's amended independent claim 1 is allowable for at least these reasons.

Dependent claims must be construed to include all of the limitations of the claims from which they depend as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 2, 3, 5, and 7-9, which depend from amended claim 1, are also not made obvious by the relied upon references for at least the same reasons as listed earlier for amended claim 1.

In conclusion, it is respectfully submitted that the 35 U.S.C. §103 rejection is overcome for claims 1-3, 5, and 7-9. Whether viewed individually or in combination, Camras and Takahashi et al. do not make obvious applicant's claimed invention.

Response to the Second 35 U.S.C. §103(a) Rejection

Claim 10 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over United States Patent number 3,984,625 (hereafter Camras) and United States Patent number 5,305,033 (hereinafter Takahashi et al.), as applied to claims 1-9 above, and further in view of United States Patent number 4,802,008 (hereinafter Walling). This rejection is respectfully traversed in view of the amendments and remarks made herein.

As amended herein, applicant's independent claim 1 calls for, among other features, the beam of light emitted by the handheld light source to be capable of remaining on during operation of the imager.

As explained earlier, whether interpreted separately or together, Camras and Takahashi do not teach or suggest this claimed feature of amended claim 1.

Walling is similarly deficient in teaching or suggesting this claimed feature of amended claim 1.

Therefore, applicant's amended independent claim 1 is allowable for at least these reasons.

Claim 10 depends from amended claim 1 and is, therefore, also allowable for at least the same reasons as indicated earlier for claim 1.

In conclusion, it is respectfully submitted that the 35 U.S.C. §103 rejection is overcome for claim 10. Whether viewed individually or in combination, Camras, Takahashi et al., and Walling do not make obvious applicant's claimed invention.

Response to the Third 35 U.S.C. §103(a) Rejection

Claims 11-13 and 15 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over United States Patent number 3,984,625 (hereafter Camras) and United States Patent number 5,305,033 (hereinafter Takahashi et al.), as applied to claims 1-9 above, and further in view of United States Patent number 4,777,526 (hereinafter Saitoh et al.). This rejection is respectfully traversed in view of the amendments and remarks made herein.

Applicant's independent claim 11 calls for, among other features, a receiver for receiving said broadcast image from each of said flashlights. Whether interpreted separately or together, Camras, Takahashi et al. and Saitoh

et al. do not teach or suggest this claimed feature.  
Therefore, claim 11 is allowable for at least this reason.

Applicant's independent claim 12 calls for, among other features, receiving said series of real-time images and audio signals from a selected one of said plurality of flashlights as a received series at a remote receiver. Whether interpreted separately or together, Camras, Takahashi et al. and Saitoh et al. do not teach or suggest this claimed feature. Therefore, claim 12 is allowable for at least this reason.

Applicant's independent claim 13 calls for, among other features, receiving a selected one of said series of real-time images and audio signals at a receiver. Whether interpreted separately or together, Camras, Takahashi et al. and Saitoh et al. do not teach or suggest this claimed feature. Therefore, claim 13 is allowable for at least this reason.

Claim 15 depends from claim 13 and is, therefore, also allowable for at least the same reasons as indicated earlier for claim 13.

In conclusion, it is respectfully submitted that the 35 U.S.C. §103 rejection is overcome for claims 11-13 and 15. Whether viewed individually or in combination, Camras, Takahashi et al., and Saitoh et al. do not make obvious applicant's claimed invention.

#### Response to the Fourth 35 U.S.C. §103(a) Rejection

Claim 14 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over United States Patent number



3,984,625 (hereafter Camras), United States Patent number 5,305,033 (hereinafter Takahashi et al.), and United States Patent number 4,777,526 (hereinafter Saitoh et al.), as applied to claims 1-9, 11-13, and 15 above, and further in view of United States Patent number 4,802,008 (hereinafter Walling). This rejection is respectfully traversed in view of the amendments and remarks made herein.

Applicant's independent claim 13 calls for, among other features, receiving a selected one of said series of real-time images and audio signals at a receiver. Whether interpreted separately or together, Camras, Takahashi et al. Saitoh et al., and Walling do not teach or suggest this claimed feature. Therefore, claim 13 is allowable for at least this reason.

Claim 14 depends from claim 13 and is, therefore, also allowable for at least the same reasons as indicated earlier for claim 13.

In conclusion, it is respectfully submitted that the 35 U.S.C. §103 rejection is overcome for claim 14. Whether viewed individually or in combination, Camras, Takahashi et al., Saitoh et al., and Walling do not make obvious applicant's claimed invention.

#### Discussion of New Claims 16-22

New claims 16-22 depend, directly or indirectly, from claim 1, which is respectfully believed to be allowable. Therefore, claims 16-22 are also allowable for at least the same reasons as claim 1.

Furthermore, each of claims 16-22 also call for additional limitations that are neither anticipated by nor made obvious by the relied upon references.

Comments Regarding the References Cited, but Not Relied Upon

The references cited, but not relied upon, are believed to neither anticipate nor make obvious applicant's claimed invention.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. In light of the remarks set forth above, Applicant respectfully requests reconsideration and allowance of claims 1-3, 5, and 7-22.


Please charge the fees required for the filing of this response as specified in the Fee Calculation Sheet concurrently filed herewith.

If there are matters that can be discussed by telephone to further the prosecution of this application, applicant invites Primary Examiner Richard Lee to call the undersigned attorney at the Primary Examiner's convenience.

Respectfully submitted,

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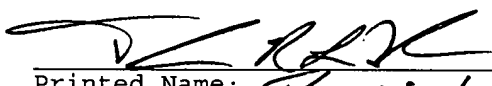
  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
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